

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 27393 of 2007(J)

PETITIONER:

**P.V.VELAYUDHAN NAIR,
PUTHUVETIL HOUSE, IRUMBILIYAM P.O.,
THIROOR, MALAPPURAM DISTRICT.**

**BY ADV. SRI.BABU CHERUKARA
SRI.NELSON J.MANAYIL
SRI.S.RUSSEL
SRI.V.R.ARUN
SRI.ANZAR BASHEER
SRI.ANTONY GEORGE**

RESPONDENTS:

- 1. DISTRICT SUPPLY OFFICER,
MALAPPURAM DISTRICT.**
- 2. TALUK SUPPLY OFFICER,
TIRUR, MALAPPURAM DISTRICT.**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ANTONY DOMINIC, J.
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W.P.(C) NO. 27393 OF 2007
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Dated this the 14th day of September, 2007

J U D G M E N T

On the allegation of variation in stock, the petitioners ARD licence has been suspended by Ext.P3 on 21/8/07 in terms of Clause 45(8) of the Kerala Rationing order. Ext.P5 is the mahazar that has been prepared by the authorities. Contention raised is that suspension has been effected without affording an opportunity of hearing. This contention does not have any substance. All that Clause 45(8) provides is that an opportunity of stating his case should be given to an Authorised Distributor before he is placed under suspension. The petitioner has no case that he was not put on notice. That will meet the requirements of the rules. Even on general principles, an opportunity of hearing is not required in a case where suspension is imposed. Reading of Ext.P3 would disclose a prima facie case against the petitioner and therefore I do not find anything vitiating in

Exhibits P3 and P5.

2. At this stage, the counsel for the writ petitioner submits that the 3rd respondent, who is to complete the proceedings may be directed to continue proceedings and conclude the same on an expeditious basis. Since the petitioner's licence has been suspended, it is necessary that the proceedings against him are concluded on an expeditious basis.

3. Accordingly, I dispose of this writ petition directing that the 3rd respondent shall complete the proceedings against the petitioner, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 3rd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp